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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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ALVINO L. MENDOZA, JR.,

§

Plaintiff,

§

*versus*

§ CIVIL ACTION NO. 1:15-CV-142

WALTER CONNEALY,

§

Defendant.

§

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Alvino L. Mendoza, Jr., a prisoner confined at the Hightower Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought this civil rights action pursuant to 42 U.S.C. § 1983 against Walter Connealy.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting defendant's motion for summary judgment and dismissing the action.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

**ORDER**

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (#19) is **ADOPTED**. Defendant's motion for summary judgment (#12) is **GRANTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Plano, Texas, this 7th day of September, 2016.

*Marcia A. Crone*  
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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE